

1 KEKER, VAN NEST & PETERS LLP  
LAURIE CARR MIMS - # 241584  
2 lmims@keker.com  
FRANCO MUZZIO - # 310618  
3 fmuzzio@keker.com  
DEEVA SHAH - # 319937  
4 dshah@keker.com  
633 Battery Street  
5 San Francisco, CA 94111-1809  
Telephone: 415 391 5400  
6 Facsimile: 415 397 7188

7 Attorneys for Victim LinkedIn Corporation  
and Witness Ganesh Krishnan

8 UNITED STATES DISTRICT COURT  
9  
10 NORTHERN DISTRICT OF CALIFORNIA  
11 SAN FRANCISCO DIVISION

12 UNITED STATES OF AMERICA,

13 Plaintiff,

14 v.

15 YEVGENIY ALEKSANDROVICH  
NIKULIN,

16 Defendant.

Case No. CR 16-00440 WHA

**DECLARATION OF FRANCO MUZZIO  
IN SUPPORT OF ADMINISTRATIVE  
MOTION TO SEAL**

Judge: Hon. William H. Alsup

Date Filed: October 4, 2016

1 I, Franco Muzzio, declare as follows:

2 1. I am an attorney at the law firm of Keker, Van Nest & Peters LLP, counsel for  
3 victim LinkedIn Corporation and witness Ganesh Krishnan in this matter. I have knowledge of  
4 the facts set forth herein, and if called upon as a witness, I could testify to them competently  
5 under oath.

6 2. I submit this declaration in support of Ganesh Krishnan's Administrative Motion  
7 to Seal Documents in Support of his Motion to Modify Trial Subpoena. I have reviewed and  
8 complied with Civil Local Rule 79-5 and the Court's Standing Order.

9 3. Mr. Krishnan seeks to seal the following documents:

- 10 a. Paragraphs 4 through 10 of the Declaration of Ganesh Krishnan in Support of  
11 Mr. Krishnan's Motion to Modify the Trial Subpoena; and,  
12 b. Exhibits A, C, and D to the Declaration of Ganesh Krishnan in Support of  
13 Mr. Krishnan's Motion to Modify the Subpoena.

14 4. **Paragraphs 4 through 10 of the Declaration of Ganesh Krishnan** contain  
15 confidential health information, including descriptions of Mr. Krishnan's medical records and his  
16 communications with his physician.

17 5. **Exhibits A, C, and D to Mr. Krishnan's Declaration** contain confidential health  
18 information, including Mr. Krishnan's medical records and communications with his physician,  
19 or contain public information that would allow a viewer to infer Mr. Krishnan's confidential  
20 health information (e.g., a website publication detailing the risks associated with Mr. Krishnan's  
21 particular medical condition during the COVID-19 pandemic).

22 6. These paragraphs of the declaration as well as these exhibits thereto warrant  
23 sealing to uphold Mr. Krishnan's right to confidentiality in his medical matters.

24 ///

25 ///

26 ///

27 ///

28 ///

1 I declare under penalty of perjury under the laws of the State of California that the  
2 foregoing is true and correct and that this declaration was executed on April 16, 2020, at  
3 San Francisco, California.

4  
5  
6 /s/ Franco Muzzio  
FRANCO MUZZIO